

Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 20, SECTION 20-21  
SO AS TO EXERCISE THE CITY OF MEMPHIS GOVERNMENT'S  
STATUTORY OPTION TO OPT OUT OF ANY STATE LAW THAT WOULD  
AUTHORIZE THE CARRYING OF FIREARMS ON PUBLIC PARKS,  
PLAYGROUNDS, CIVIC CENTERS, AND OTHER PUBLIC RECREATIONAL  
BUILDINGS AND GROUNDS

Whereas, the State Legislature recently passed House Bill 716 and Senate Bill 976, allowing persons possessing a handgun, who are authorized to carry such handgun pursuant to § 39-17-1351, while within or on a public park, wildlife management area, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place that is owned or operated by the state, a county, a municipality or instrumentality thereof; and

Whereas, the legislation further allows persons possessing a handgun, who are authorized to carry such handgun pursuant to § 39-17-1351, while within or on property designated by the federal government as a national park, forest, preserve, historic park, military park, trail or recreation area, to the extent permitted by federal law.

Whereas, HB 716 and SB 976 provides that by majority vote of its legislative body, any municipality or county may elect to prohibit persons authorized to carry a handgun pursuant to § 39-17-1351, from possessing such handgun while within or on a public park that is owned or operated by a county, a municipality or instrumentality thereof and applies to the entire park.

Whereas, the City Code, Chapter 20, Section 20-21 (A) presently contains language specifying certain items including guns and other dangerous weapons for which a person would carry with the intent to go armed and those persons found in violation of this section guilty of a misdemeanor.

Section 1. Now, Therefore, Be It Ordained By the Council of the City of Memphis, That Chapter 20, Section 20-21 (A) is hereby amended to add additional language at the conclusion of the existing paragraph to read as follows:

It shall be the intent of the City of Memphis government to exercise its statutory option to opt out of any state law that would otherwise authorize the carrying of firearms on public parks, playgrounds, civic centers and other public recreational buildings and grounds.

Section 2. Be It Further Ordained, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or

parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 3. Be It Further Ordained By The Council Of The City Of Memphis that this Ordinance shall take effect from and after the date it shall have passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by comptroller and become effective as otherwise provided by law.

Harold Collins, Council member  
Janis Fullilove, Council member

Myron Lowery, Chairman